

# TRANSPORTATION COMMISSION MINUTES



**MEDFORD**  
OREGON

December 15, 2021

12:30 P.M.

Virtual Meeting

---

**Call to Order:** 12:32pm

## **10. Roll Call**

### Commissioners Present:

Al Densmore, Chair  
Dennie Conrad  
Mickey Harvey  
Kim Parducci  
Jared Pulver  
Suzanne Schroeder  
Paige West

### Commissioners Absent:

Peggy Penland, excused

### Councilmembers Present:

Sarah Spansail

### Staff Present:

John Vial, Director Public Works  
Karl MacNair, Public Works Engineering  
Debra Royal, Public Works Engineering  
Carla Paladino, Planning  
Liz Hamblin, Planning

### Guests:

Tom Guevara, ODOT

## **20. Approval of Minutes from October 27, 2021**

---

Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or [ada@cityofmedford.org](mailto:ada@cityofmedford.org) at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

There being no additions or corrections, the Minutes of the October 27, 2021 meeting were approved as presented.

### **30. Oral Requests and Communications from the Audience**

Karl MacNair discussed an SOU student's request to speak with the Commission. Mr. MacNair responded to the student with a link to the TSP and with the offer that he, Commissioner Harvey, and Councilmember Spansail would be happy to meet with him. Mr. MacNair did not receive a response from the student.

### **40. Action Items**

#### **40.1     Parking Committee Appointments**

Mr. MacNair said there were two vacancies on the Parking Committee, and both members who have been filing those posts have reapplied. Today, the Commission is asked to make a recommend to reappoint both these committee members or agree to interview them.

MOTION: That the Commission reappoint the two Parking Committee members (Tyler Jasper and Kayla Samnath).

Moved by: Ms. Parducci     Seconded by: Mr. Harvey

Roll Call: The Motion was agreed to unanimously.

Motion carried and so ordered.

#### **40.2     Bicycle and Pedestrian Committee Interviews**

Mr. MacNair offered that the BPAC had two vacancies – the positions currently held by Suzanne Schroeder and Joe Smith. Both have reapplied, but there are several other applicants as well. Today, the Commission is asked for direction on how they would like to proceed with interviews. Mr. MacNair recommended that a smaller group of Commissioners conduct the interviews and that their decision be the final vote on the applicants. This will facilitate moving the appointments process along more quickly. Chair Densmore agreed and suggested the interviews be held via the virtual meeting software TEAMS. Mr. MacNair agreed.

Mr. Harvey and Chair Densmore discussed the need to hold interviews. Chair Densmore said all who put their names forward should have the opportunity to interview. This will encourage other citizens to volunteer to serve. Chair Densmore then asked for volunteers to serve on the interview panel. Commissioners Dennie Conrad and Paige West volunteered.

**50. Discussion Items**

**50.1 Climate Friendly and Equitable Communities Rulemaking**

Mr. MacNair stood in for Planning Director Matt Brinkley and showed a PowerPoint presentation regarding major changes proposed to the state's Transportation Rule through a rulemaking process being led by the Oregon Department of Land Conservation and Development (DLCD). This was presented on December 9, 2021 to the City Council and Councilmembers provided feedback on how they want to participate in the process. Until a draft rule is formally proposed, no response from the City is expected.

Background on rulemaking – The Governor's Executive Order 20-04 directed amendments be made to the Transportation Planning Rule (TPR). The goal is to meet greenhouse gas reductions targets. Both ODOT and DLCD are directed to identify and implement means to provide financial and technical assistance to metropolitan areas for amending transportation and land use plans to meet the greenhouse emissions goals. The rulemaking is on an aggressive schedule. It started in early 2021. The draft rules started coming out in October 2021. The final draft rule is expected to be completed in January 2022. Review will be in February. Public Hearings are scheduled for the end of March and final hearing and adoption by LCDC would be in May.

The rule makes changes to several sections of the TPR and Mr. MacNair went over some of the highlights such as timelines, jurisdictions, criteria for determining geographic areas, designation of climate friendly areas, evaluating alternatives, performance targets and standards, prioritizations, land use, decreasing vehicle use, parking, electrical vehicle charging stations, solar panels, pedestrian and bike system projects, reductions in front and side yard setbacks, local street system and highway planning, monitoring and recording, equity analysis, underserved populations.

The major issues of impact on Medford include: the VMT per capita reductions, which will be very challenging if this is done jurisdiction by jurisdiction. In a region like the Rogue Valley, the decisions made by all jurisdictions determine the number of people coming into Medford. Therefore, it is not something Medford has full control over. There are also challenges with the regional models that are used to predict such things. In the past, the Rouge Valley has done scenario planning and did not find that the model showed a lot of benefit, especially to changes in land development patterns or other types of interventions. So, there needs to be some work done on the model if it is to be shown that there is an actual reduction from some of these things.

The review and approval of capacity-increasing projects – Additional justification is needed for any projects that increase driving capacity. These are a second level of planning requirements on top of what we have already done for the TSP. It is not clear the way the rules are written if this would just be future road alignments or if it would be required to complete requirements for a connected

transportation network. When is it increasing capacity or when is it just making needed connections?

A lot will depend on modeling and modeling is imperfect. Current modeling may not be sensitive to policy choices prescribed by the proposed rule; the new model may be better suited to the proposed rules, but it's still under development. Models are only as good as the underlying data. We are asking these computer models to do things they were not designed to do like predict people's future transportation decisions. Conflicts could be created with other parts of the comprehensive plan that a lot of work has gone into. There are some arbitrary rules and the methodology prescribed in these rules is going to be very time intensive.

Impacts on City resources – The LCDC staff has promised that there will be financial support, but there is no commitment at this point. The parking reforms proposed will be time-consuming and likely to be contentious. There is a process listed for City/County coordination, and there are a lot of new requirements for the TSPs that will be much more time-consuming and costly to produce. Some of the data may not be available or will just be very expensive to gather.

Many of the rules seem overly prescriptive and vague.

There are also equity concerns. There will be two classes of development that will bear the cost of electrification and other requirements (employment and multi-family residential). That is not equitable. Land use provisions would require higher-density development in climate-friendly areas that are at the upper limit of higher-density residential development affordable to the lower and middle income residents. That could create a rent burden.

Potential benefits of these rules include moving away from traffic level of service which could provide more flexibility for development and for the City in how we provide transportation infrastructure. These rules could encourage infrastructure improvements needed to improve resiliency to the impacts of climate change.

Mr. Densmore commented about involving the City's lobbyist with regard to the financial impact of this rulemaking. He commented that he found that nowhere in the discussion is the legislative authority for this sort of rulemaking mentioned. He has never seen an Executive Order with rulemaking authority like this.

Mr. John Vial offered that this same issues has been raised by other cities around the state. This rule has dozens of sections and lots of requirements. The Oregon Association of Counties and the League of Oregon Cities have jointly issued a letter to the LDCD saying that it is too much, too fast. There is too much to absorb and try to do in a short period of time. The letter asked for the pace to be slowed. Thus far, it has not been met with open arms.

Commissioner Paige West shared that she has been serving on the Rulemaking Advisory Committee (RAC) since last year. The initial effort in 2018-19 ended abruptly. It was focused only on the performance metrics that cities would begin to use to better understand their baseline conditions and goals for improving bike and pedestrian transit. That was something that was possible to do and that took about a year. The Committee's work abruptly ended when the Portland Region felt it was paramount that any goals across the state that affect cities should also be tied directly to the greenhouse gas benchmarks that the governor put into place in 2014.

That rulemaking process did not move forward. The LCDC did not hear the recommendations from that RAC. The second RAC was formed in 2019 and started meeting last year. There has been a tremendous amount of information and technical policy that does not lend itself to be accomplished in a two year process.

Ms. West is also concerned that the RAC was formed with approximately 50 members. There was a major push to make it an equity-based committee. Therefore, about half of the members are from black, indigenous, people of color, disabled, and low income advocacy groups. These members have a tremendous amount of knowledge in those areas, but do not have the expertise needed to create a transportation system management plan. They have become quiet in the last six months because they simply don't understand the material. That leaves 25 people on the committee who can do the work. Ms. West is the sole public transportation representative, which has left a huge weight on her shoulders as the only member of the committee who represents public transit for the state of Oregon. There is a handful of Public Works and Planning professionals. These members of the committee have been very vocal that there needs to be more cities involved.

Ms. West commended the Medford City staff on the presentation and that the information in the Commissioners' packets did a very good job of describing the issue. Ms. West recommends that the City look at submitting Mr. Brinkley's letter that was in the agenda packet to LCDC. The other concern that Ms. West has is that the scenario planning to become compliant with these new rules may end up dedicating funding to the Willamette Valley and leave other parts of the state behind. DLCD is not providing any hope that funding will be available for other areas like Bend, the Medford MPO area, or the Middle Rogue MPO area. DLCD said that if funding is available, it probably would not be until 2024-2026. The issue is how the language is currently written. If you do not have a compliant plan, you are not eligible for state funds or the new infrastructure funding. That puts us in a situation where we might not be able to adequately compete for state funding until our own plans are compliant. That in itself needs to be addressed to ensure we are not wrongfully being put aside and not be able to compete for those funds.

Chair Densmore interjected that he wants to be on records as saying this is awful and Medford's legislative delegation ought to get involved immediately. This cannot stand. He believes they do not have the legislative authority to do this kind of regulating. The document reads like a statute that

should be passed or rejected by the legislature, representatives elected from all over the state. This is being done by people who are not elected, and it is just too much.

Mr. Harvey likes the idea and where they are trying to go, but agrees with Ms. West and Mr. Densmore. This is too much, too fast. He explained where this is coming from, that the problem is the legislature has been attempting to do something about climate change in the last three sessions. Every time it gets close to being accomplished, there is a walk out or some political dynamic where nothing can get done. So, the governor has decided that we'll just do it via the rulemaking process and it will be easier to do. It is the wrong decision and the wrong way to do it, but the direction is correct. We have to start thinking about the effect of climate change and the repercussions we are going to face. There has been no input from regular folks. It's kind of the backdoor way. If half the members of the rulemaking committee don't understand what's going on in the first place, that is not really a rulemaking committee.

Chair Densmore asked staff what the Council is looking for from the Commission. Mr. Vial explained staff is not asking the Commission to do anything at this time. The intent was to brief the Commission as the Council was briefed. It is the Commission's prerogative to take a position and send something to Council, but it is not necessary.

Commissioner Pulver asked staff what the Council's reaction was to this briefing. Mr. Vial said that after Mr. Brinkley's presentation to Council, there was not a long discussion, just a few questions. Mr. Vial's opinion is that there was so much information to digest and the agenda was so heavy that night that there was not a lot of time for a long discussion.

Councilmember Spansail shared that there was not a significant amount of discussion during the Council meeting, but there was on the private side. Some Councilmembers liked some of the concepts, but her impression is that the Council as a whole did not believe this would be a good thing for Medford.

Chair Densmore suggested that the Commissioners take some time and think over what their next steps should be. He thanked staff and commented on the excellent quality of the report.

#### 50.2 South Medford Exit 27 Alternate Mobility Target Plan

Mr. MacNair provided a status update on the Alternate Mobility Target plan. He had hoped to have a beginning draft of the AMT, but there were some issues with the initial results. Therefore, ODOT's Transportation Planning and Analysis Unit (TPAU) is digging into the results to validate what they are seeing on the first pass. Therefore, those are not quite ready to share. But Tom Guevara of ODOT is here to provide the update on the current draft project list.

Mr. Guevara provided a PowerPoint overview of the deficiencies ODOT was looking at in the Medford area. Queuing congestion between intersections, turn lane overflow caused by the intersection blockage, large traffic demand that exceeds the state standards, access management issues around the interchange, and bike and pedestrian deficiencies that exist around the interchange under the projected 2045 conditions. A list of projects was modeled and vetted. Based on the results, a subset of projects was included as a solution package. This solution package is above and beyond the TSP and ODOT's Statewide Transportation Improvement Plan (STIP) projects.

The next part of the process is to develop Alternative Mobility Target that is acceptable to the City and ODOT. The model needs validation. Right now what is showing is congestion from 6am to 6pm. We need to validate that before we can develop an AMT.

### 50.3 Infrastructure Investment and Jobs Act of 2021

Chair Densmore said the packet was excellent and the slide show did a great job of going thru the parts of the bill. As a Commission, the Chair suspects other Commissioners have the same question: As it filters down, and we look at the impact of increase funding to potentially the region and to Medford, how does that square with our original Commission recommendation to clear the priority projects and how will they be affected by this potential funding?

Mr. Vial said that we don't know. A briefing was held just today that ODOT hosted for the League of Oregon Cities and associates of Oregon county representatives. They are in the process of breaking down these big buckets further, but there are still a lot of questions. Local governments have expressed a lot of concerns. An example is: In this big infrastructure package, ODOT got \$250M+ for bridges. Right now, \$34M is set aside for local government. So 13%. Local government owns more than 50% of the bridges across the state. ODOT says they will work on it. So, there are a lot of those discussions going on right now to better understand how and to what extent this will impact local governments.

Mr. MacNair shared that there is a lot of new money that is still being split up into different buckets. There is a public comment period that is currently open. The Oregon transportation Commission is supposed to be discussing it at their January 20 meeting. Now is the time to provide initial input. After the January 20 meeting, OTC will seek more public comment early next year. Then they will have another meeting March 10, 2022.

Chair Densmore asked if Mr. Vial and Mr. MacNair could comment on whether or not it would be advisable for the City Council to send a letter to the state-wide Commission and highlight the key projects that are in the TSP that do have relevance to the state system. Maybe the Council could make an argument for the need to have addition funds allocated to take care of issues like these. Mr. Vial agreed and believes providing input to the Commission would probably help. Mr. MacNair will prepare a letter. Mr. Vial shared that with many local governments all weighing-in asking how

the funds will be divided, a suggestion we could make to the OTC is to look at some big regional projects that solve big regional problems. Once the money is divided up into small pieces, there will not be enough to do anything big. There might be some wisdom in holding some of the money back or considering solving some regional type problems with this money.

Chair Densmore was thinking about projects like Table Rock Road, which have an interface with the state system. This would make everything better for everybody. That type of thinking is what is necessary when we do get additional revenue. Mr. MacNair said he would start with the priority list the Commission has been working on and any other Council priorities. Mr. Densmore agreed.

#### **60. Commission Remarks and Committee Reports**

Mr. Harvey shared that the Parking Committee did not meet in December, but will in January. He also said this will be his final meeting serving as a Commissioner on the Transportation Commission. He has taken a job in DC and will be leaving the Commission. He believes the Commission has helped move the City in the right direction and thanked his fellow Commissioners and Public Works staff. Chair Densmore thanked Mr. Harvey for his work and stated he had been an important and excellent contributor to the Commission. The Commissioners all congratulated Mr. Harvey.

Commissioner Kim Parducci asked if there were any replacements in the pool to take Chair Densmore and Mr. Harvey's places on the Transportation Commission. Mr. Harvey shared that Tyler Jasper is the most likely replacement to be the Chair of the Parking Committee and he will more than likely take over Mr. Harvey's Parking Committee representation on the Transportation Commission.

Mr. MacNair offered that the Parking Committee will appoint a representative for Mr. Harvey's position on the Transportation Commission. To fill Chair Densmore's position, there are several applicants. The new members will be with us at the February meeting. Mr. Conrad offered that the interviews will be completed in December and appointments will be made at the City Council meeting in January.

Commissioner Suzanne Schroeder shared an update from BPAC. The Committee reviewed the "Get There Challenge", the Planning Department reported the Bicycle Wayfinding, the Larson Creek Greenway budget is approved to rehab the path, the Liberty Park neighborhood is going to have 900 linear feet of sidewalks added by February, and add bike lanes on Oakdale, Stewart, Juanipero, Golf View, and Jackson streets are included the upcoming overlay paving re-striping. BPAC also discussed Centennial Village, which is adding 2,600 new units in the former golf course. Plans are to extend Olympic Avenue and add bike lanes from Juanipero to South Stage. The most interesting part of that to this Commission is it is expected to increase the traffic on North Phoenix and Barnett.



**70. Staff Reports**

Mr. MacNair shared that the BUILD project has lost key staff via resignations. As a result, there has been a bit of reorganizing with an All Hands on Deck approach. Public Works has been working with partners at ODOT to adjust the schedule. The design completion is now August-September of 2022. We are working feverishly to hit a 90% milestone by the end of April 2022. Additionally, the Liberty park sidewalk project has been awarded to the contractor and will be completed in the coming months.

**80. Agenda Build**

80.1 Medford Community Vision 2040

Chair Densmore said that the presentation to the Council is set for January 20 and left it to the Commissioners when they would like receive a briefing.

Mr. MacNair shared that the South Medford Exit 27 may need to be revisited as an agenda item.

Chair Densmore bid the Commissioners farewell and shared how much he has enjoyed working with them and with staff. Commissioners and staff expressed their disappointment that Chair Densmore would not be returning to the Commission, but wished him all the best.

**90. Adjournment: 2:01pm**

Respectfully submitted,

Debra Royal, Public Works Engineering